

1 James W. Pengilly, Esq.  
2 Nevada Bar No. 6085  
[jpengilly@pengillylawfirm.com](mailto:jpengilly@pengillylawfirm.com)  
3 Elizabeth B. Lowell, Esq.  
4 Nevada Bar No. 8551  
[elowell@pengillylawfirm.com](mailto:elowell@pengillylawfirm.com)  
5 PENGILLY LAW FIRM  
6 1995 Village Center Cir., Suite 190  
7 Las Vegas, NV 89134  
Telephone: (702) 889-6665  
Facsimile: (702) 889-6664  
8 *Attorneys for Skypointe Unit Owners' Association*

9  
10 UNITED STATES DISTRICT COURT  
11  
12 DISTRICT OF NEVADA

13 CHRISTIANA TRUST, A DIVISION OF  
14 WILMINGTON SAVINGS FUND SOCIETY,  
15 FSB, NOT IN ITS INDIVIDUAL CAPACITY  
16 BUT AS TRUSTEE OF ARLP TRUST 3, a  
national bank,

17 Plaintiff,  
18 vs.

19 SKYPOINTE UNIT OWNERS'  
ASSOCIATION, a Nevada corporation;  
PHAM INDIANA REALTY, LLC, a Delaware  
limited liability company,

20 Defendants.

21 CASE NO.: 2:17-cv-01953-RFB-GWF

22  
23  
24  
25  
26  
27  
28 **STIPULATION AND ORDER TO  
SET ASIDE DEFAULT AND EXTEND  
TIME TO RESPOND**

(First Request)

29 IT IS HEREBY STIPULATED BY AND BETWEEN counsel for Plaintiff, CHRISTIANA  
30 TRUST, A DIVISION OF WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS  
31 INDIVIDUAL CAPACITY BUT AS TRUSTEE OF ARLP TRUST 3, a national bank  
32 ("Christiana"), and counsel for SKYPOINTE UNIT OWNERS' ASSOCIATION ("Skypointe"), that  
33 the Default (ECF No. 12) entered in this matter on October 17, 2017 against Skypointe, be set aside;  
34 and

1 IT IS FURTHER STIPULATED that Skypointe may have ten (10) days from the date of  
2 entry of this stipulation in which to answer Christiana's Complaint on file herein.

3 DATED this 24<sup>th</sup> day of October, 2017.

4 PENGILLY LAW FIRM

5 /s/ Elizabeth Lowell  
6 James W. Pengilly, Esq.  
7 Nevada Bar No. 6085  
8 Elizabeth Lowell, Esq.  
Nevada Bar No. 8551  
9 1995 Village Center Cir., Suite 190  
Las Vegas, NV 89134  
(702) 889-6665  
10 *Counsel for Defendant*  
*Skypointe Unit Owners' Association*

DATED this 24<sup>th</sup> day of October, 2017.

ZIEVE, BRODNAX & STEELE, LLP

/s/ Shadd A. Wade  
Shadd A. Wade, Esq.  
Nevada Bar No.  
3753 Howard Hughes Pkwy., Ste. 200  
Las Vegas, NV 89169  
(702) 948-8565  
11 *Counsel for Plaintiff*

12 **ORDER**

13 IT IS SO ORDERED this 27th day of October, 2017

14  
15   
16 RICHARD F. BOULWARE, II  
17 United States District Judge  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28